

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

SHIELDMARK, INC.
PO Box 16618
Rocky River, OH 44116

Plaintiff,

V.

INSITE SOLUTIONS, LLC
3650 Rogers Rd. #298
Wake Forest, NC 27587

Defendant.

CASE NO. _____

JUDGE _____

COMPLAINT FOR PATENT INFRINGEMENT

JURY TRIAL DEMANDED

Plaintiff ShieldMark, Inc. ("ShieldMark"), for its complaint against Defendant Insite Solutions, LLC ("Defendant"), hereby demands a jury trial and alleges as follows:

PARTIES

1. ShieldMark is a corporation organized under the laws of the State of Ohio, with its principal place of business in Rocky River, Ohio.

2. On information and belief, Defendant is a limited liability company organized under the laws of the State of North Carolina with its principal place of business in Wake Forest, North Carolina.

JURISDICTION AND VENUE

3. This Court has subject matter jurisdiction over this action under 28 U.S.C. §§ 1331 and 1338(a), in that this is an action for patent infringement arising under the United States Patent Laws at Title 35, United States Code, 35 U.S.C. § 271 *et. seq.*

4. Defendant has committed acts of patent infringement in the Federal District for the Northern District of Ohio and elsewhere throughout the United States.

5. Venue is proper in this Court under 28 U.S.C. §§ 1391(c) and 1400(b).

PATENT INFRINGEMENT

6. ShieldMark is the owner by assignment of U.S. Patent No. 8,088,480 issued on January 3, 2012 to Thomas R. Goecke and entitled “Adhesive Tape” (“the ‘480 Patent”). A true and accurate copy of the ‘480 Patent is attached as Ex. 1.

7. Defendant has made, used, sold, offered for sale, and/or imported into the United States adhesive tape that infringes upon the ‘480 Patent.

8. Defendant’s adhesive tape that infringes upon the ‘480 Patent is adhesive tape presently sold under the name(s) “Superior Mark Tape” and “Last Mark Aisle Marking Tape”.

9. Defendant has infringed, contributed to, and/or induced infringement of one or more claims of the ‘480 Patent by making, using, offering to sell, selling within the United States, and/or importing into the United States adhesive tape presently sold under the name(s) “Superior Mark Tape” and “Last Mark Aisle Marking Tape”.

10. On information and belief, Defendant’s infringement of the ‘480 Patent has been willful and deliberate.

11. As a direct and proximate result of Defendant’s infringement of the ‘480 Patent, ShieldMark has suffered and continues to suffer damages.

12. ShieldMark has no adequate remedy at law and will be irreparably injured unless Defendant’s acts of infringement are enjoined by this Court.

WHEREFORE, ShieldMark respectfully requests that the Court enter judgment in its favor and an award of the following relief:

A. Preliminary and permanent injunctive relief prohibiting Defendant, its agents, employees, licensees, and all those in privity with Defendant from engaging in acts of infringement of the '480 Patent;

B. Judgment that Defendant has infringed the '480 Patent in violation of 35 U.S.C. §271;

C. An award of all damages recoverable under the United States patent laws pursuant to 35 U.S.C. § 284, up to and including treble the amount of actual damages assessed for any willful infringement;

D. An award of attorneys' fees to the extent permitted under 35 U.S.C. § 285;

E. An award of all taxable costs; and

F. Such other and further legal and equitable relief as the Court deems appropriate.

DEMAND FOR A JURY TRIAL

Plaintiff ShieldMark hereby demands a trial by jury on all issues so triable.

Respectfully submitted,

/s/Robert A. Hager

Robert A. Hager (#0040196)

W. Scott Harders (#0070598)

Martin J. Pangrace (#0073857)

BRENNAN, MANNA & DIAMOND, LLC

75 E. Market Street

Akron, OH 44308

Telephone: (330) 253-5060

Facsimile: (330) 253-1977

E-Mail: rahager@bmdllc.com

wsharders@bmdllc.com

mjpangrace@bmdllc.com

Attorneys for Plaintiff, ShieldMark, Inc.